



A BILL FOR AN ORDINANCE

RELATING TO CITY ADVERTISEMENTS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to except liquor commission advertisements from the requirement that City advertisements include a statement that the advertisement is paid for, in whole or part, by City taxpayers. The ordinance requires that liquor commission advertisements include a statement that the advertisements are paid for with fees collected and received by, as well as all other moneys received on behalf of, the liquor commission and deposited into the liquor commission fund. The exception is needed because liquor commission advertisements are paid for with fees, fines, and other moneys deposited into the liquor commission fund rather than from property tax revenues collected from City taxpayers.

SECTION 2. Section 1-21.1 Revised Ordinances of Honolulu 1990 ("Definitions"), is amended by amending the definition of "Advertisement" and adding a new definition of "Liquor commission advertisement" to read as follows:

"Advertisement" includes any communication paid for in whole or in part with city funds, and publicly distributed to support, advocate for, or inform the public about a city project, program, action, or legislation. The term does not apply to notices of public meetings, notices of public hearings, notices of real property tax assessments, liquor commission advertisements, and other legal notices required by ordinance or other law. A radio or television broadcast that differs in content from day-to-day or program-to-program shall be treated as a separate advertisement for each day or program, respectively."

"Liquor commission advertisement" means any communication paid for with fees collected and received by, as well as all other moneys received on behalf of, the liquor commission and deposited into the liquor commission fund, and publicly distributed to support, advocate for, or inform the public about a liquor commission project, program, action, or legislation. The term does not apply to notices of public meetings, notices of public hearings, and other legal notices required by ordinance or other law. A radio or television broadcast that differs in content from day-to-day or program-to-program shall be treated as a separate liquor commission advertisement for each day or program, respectively."



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SECTION 3. Section 1-21.2 Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 1-21.2 Disclosure required.

- (a) No city officer, employee, or consultant, contractor, subconsultant, or subcontractor to the city shall submit or cause to be submitted any advertisement without including the following statement in the advertisement: "Paid for (or paid in part) by the taxpayers of the City and County of Honolulu." For radio advertisements, the statement may be altered to state: "Paid for (or in part) by city taxpayers."
- (b) No Honolulu liquor commission officer, employee, or consultant, contractor, subconsultant, or subcontractor to the Honolulu liquor commission, shall submit or cause to be submitted any liquor commission advertisement without including the following statement in the liquor commission advertisement: "Paid for solely by fees collected and received by, as well as all other moneys received on behalf of, the liquor commission and deposited into the liquor commission fund."
- (c) If an advertisement or liquor commission advertisement is in printed or published form, the statement required in subsection (a) or (b) shall be displayed in a prominent location in the advertisement[;] or liquor commission advertisement, and be of sufficient type size to be clearly readable by the recipient or audience of the advertisement[;] or liquor commission advertisement. If the advertisement or liquor commission advertisement is broadcast on the radio, the statement shall be stated orally at the end of the advertisement[;] or liquor commission advertisement."

SECTION 4. Ordinance material to be repealed is bracketed and stricken and new material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.



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SECTION 5. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ann Kobayashi

DATE OF INTRODUCTION:

January 16, 2020

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu